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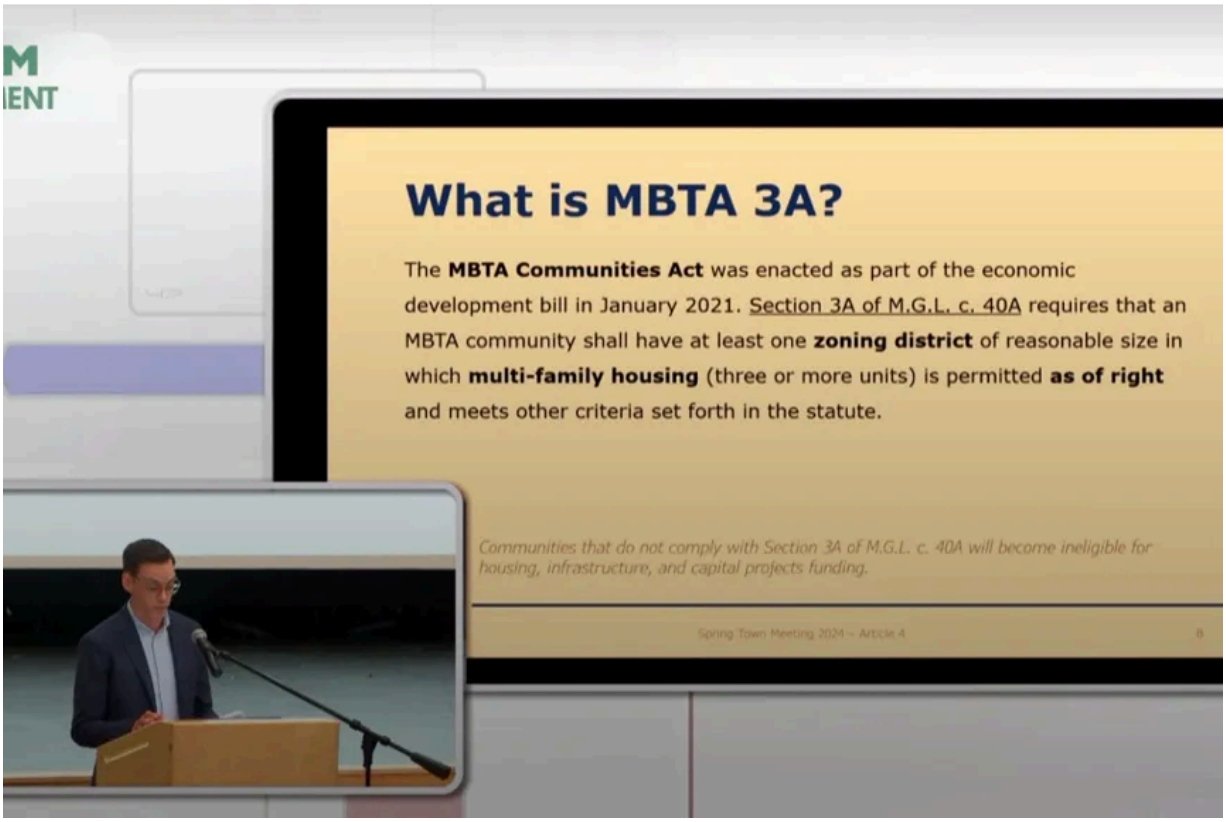
NEWS — GOVERNMENT

Town Meeting votes to adopt MBTA Overlay District

NELL ESCOBAR COAKLEY | STAFF WRITER

April 30, 2024 . 6:00 AM — 4 min read


What is MBTA 3A?
The MBTA Communities Act was enacted as part of the economic development bill in January 2021. Section 3A of M.G.L. c. 40A requires that an MBTA community shall have at least one zoning district of reasonable size in which multi-family housing (three or more units) is permitted as of right and meets other criteria set forth in the statute.
Communities that do not comply with Section 3A of M.G.L. c. 40A will become ineligible for housing, infrastructure, and capital projects funding.

Town Planner Taylor Herman speaks to residents at Town Meeting on April 29 to explain the MBTA 3A legislation. WINCHESTER NEWS STAFF PHOTO/NELL ESCOBAR COAKLEY

The question of will they or won't they vote to adopt the MBTA 3A Overlay District or put it off until the fall is now moot.

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On Monday night, Town Meeting voted to approve the zoning bylaw 129 to 31, with two 2 abstentions.

The zoning proposal is intended to comply with Massachusetts' MBTA Communities Act and increase multifamily housing near the town's commuter rail station.

The act, passed in 2021, mandates 177 MBTA communities like Winchester to adopt new zoning that allows multifamily housing by right in eligible locations by the end of 2024. The goal is to promote sustainable development and increase housing production near transit.

The deadline for compliance with the law is Dec. 31, 2024 to avoid potential legal action and funding restrictions from the state.

The Planning Board has identified just over 48 acres of land across what would be four subdistricts, centered around the Winchester Center commuter rail station, to rezone for multifamily housing. The area encompasses both sides of North Main Street heading north and is currently zoned for business uses.

Town Meeting members on the night's first session April 29 heard favorable support on the measure from not only the Planning Board, but Select Board, Affordable Housing Trust, Council on Aging and Housing Partnership Board.

The Finance Committee voted 6-4 against supporting the measure, believing the town should wait until the case brought by the Attorney General's Office against the town of Milton was decided by the Supreme Judicial Court in the fall. The four members in the minority, said Chair John Miller, stated there was no reason not to go ahead with the vote as it wouldn't do any harm.

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Which seemed to be the overriding sentiment of the evening, as residents repeatedly reiterated, they would prefer to pass the measure and come into compliance with state law instead of waiting until the fall.

“The expectation is that it would be almost impossible for the SJC to strike down the statute,” said Town Counsel Jay Talerman. “It’s a significant risk for towns not to comply than just fight the mandate the state is compelling on us.”

Talerman told residents the state estimates it will take 90 days to review each community’s zoning compliance. Waiting until Fall Town Meeting could push the town over the Dec. 31 deadline.

Residents reminded Town Meeting the town could also lose grant funding, which Town Manager Beth Rudolph confirmed. She said the state law spells out that communities who do not comply lose funding for infrastructure and housing choice grants.

Additionally, Rudolph pointed to 13 other possible grants that could be lost, many of which Winchester has applied for and received in past years.

Sen. Jason Lewis, himself a Town Meeting member from Precinct 3, said he voted for the new MBTA law, which was only one paragraph in a much bigger economic development bill.

Lewis said he used to “struggle” with zoning mandates like this one because of the effects on communities.

“But I’ve changed my thinking a lot,” Lewis said. “The reason is that we’re faced with such a significant affordable housing crisis in the Greater Boston area. We are starting to see an exodus of young and working age people from the state and the Boston area.”

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Lewis said many young people attend local colleges and once they graduate, see the value in taking jobs. However, with housing so scarce and prices taking most of their income, people are leaving. And, he added, there's also a significant impact on seniors and the middle class.

"There's no simple solution," he said. "We need 200,000 more housing units just to be able to catch up."

Some residents who spoke at Town Meeting questioned whether Winchester would be able to tweak or fix the language of the bylaw at a later date, should there be a need.

"This is state law," said Town Planner Taylor Herman. "Compliance is mandatory. We can change it in the future."

Other Town Meeting items

Town Meeting kicked off Monday night with Town Moderator Heather von Mering thanking residents for their service. With 114 in attendance and only 100 needed for a quorum, von Mering kicked off the meeting with a quip.

"Hold tight," she said. "It can always be an adventure here."

Board and committee chairs and representatives gave their reports, many of which residents will have the opportunity to hear as articles come up over what could potentially spill over into four or five sessions.

Michelle Prior, Select Board chair, reported the board is "moving from crisis management to strategic planning" as it works with other boards to evaluate capital needs and improve Winchester's infrastructure.

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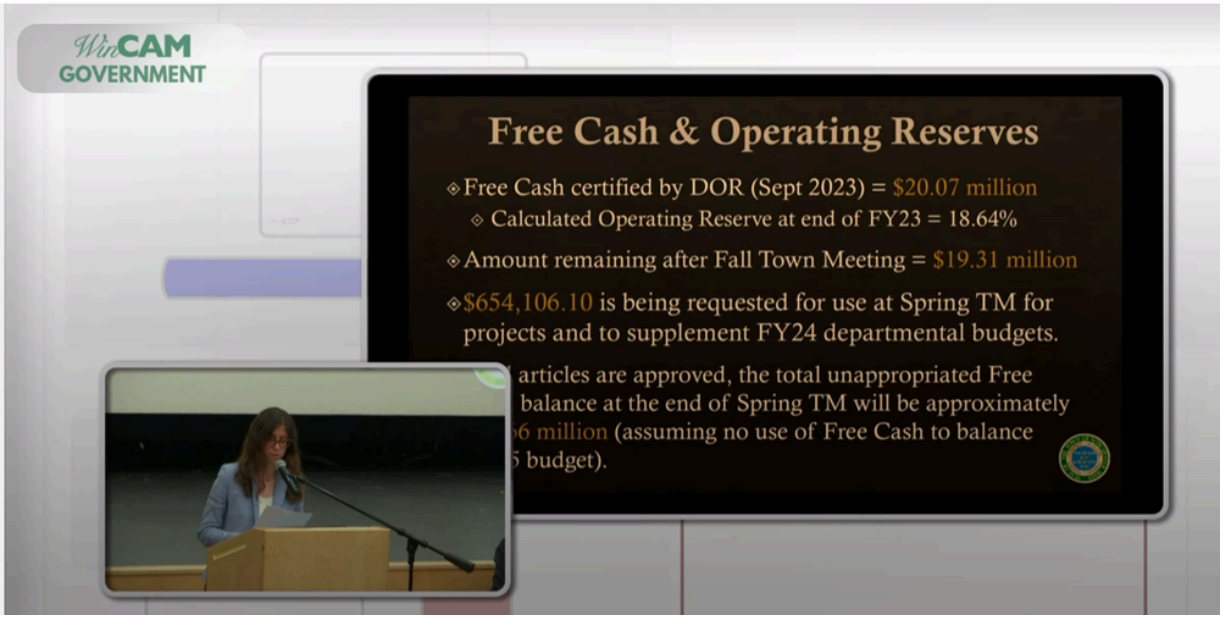
WinCAM
GOVERNMENT
Free Cash & Operating Reserves
Free Cash certified by DOR (Sept 2023) = $20.07 million
Calculated Operating Reserve at end of FY23 = 18.64%
Amount remaining after Fall Town Meeting = $19.31 million
$654,106.10 is being requested for use at Spring TM for projects and to supplement FY24 departmental budgets.
articles are approved, the total unappropriated Free balance at the end of Spring TM will be approximately
6 million (assuming no use of Free Cash to balance
budget).

Town Manager Beth Rudolph explains the budget to Town Meeting. WINCHESTER NEWS STAFF PHOTO/NELL ESCOBAR COAKLEY

Rudolph talked about the town budget, estimating Winchester is using $1.2 million in free cash each year to balance its budget. She said in the long run, it's not a sustainable model.

Miller, who offered the Finance Committee's report, also spoke to the budget. He called the budget "structurally balanced" and said there was no use of free cash this time around and there would be no use for an override to make up for a deficit, either.

School Committee Chair Tom Hopcroft spoke to upcoming school projects, such as a new Muraco School, which the town aims to have before the state in January 2025. The school system is also looking to take a close look at enrollment figures in order to support its future needs.

School Committee member Chris Nixon, who co-chairs the Educational Facilities Planning & Building Committee, spoke to the plans for updating the Winchester High School gymnasium and fixing the deterioration of concrete at the school.

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The Committee on Government Regulations is expected to begin its decennial review of regulations. The town is overdue for the review and members plan to undertake the effort over the summer and through the fall for the 2025 Spring Town Meeting.

Other boards, such as Board of Health, Library Trustees, Council on Aging, Conservation Commission, Board of Assessors and Climate Action Advisory Committee also offered reports for the evening.

Session 2 of Town Meeting will take place on Thursday, May 2, at 6:30 p.m. in the Winchester High School auditorium.

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Representatives recently passed energy affordability legislation that would result in over $9 billion in savings for utility ratepayers over the next 10 years. The bill maintains critical

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Winchester gun owners face new training rules starting April 2

Public safety data How Winchester compares on firearms licenses in comparable Massachusetts communities Active licenses as of Jan. 25, 2025 — Source: Massachusetts Criminal History Systems Board License to carry firearms Firearms identification card Winchester and Marblehead are the focus communities. Peers selected based on comparable population size, demographics and suburban

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Sen. Jason Lewis, Mass. Senate strengthen fair housing protections for renters, buyers

The following was submitted by the Office of Sen. Jason Lewis: State Sen. Jason Lewis joined his colleagues in the Massachusetts Senate to pass legislation that protects residents from discrimination in the housing market as the Trump administration abandons its enforcement of the federal Fair Housing Act. Illegal discrimination continues

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The following was submitted by the Network for Social Justice: To mark Women's History Month and International Women's Day in 2026, the Network for Social Justice is collaborating with club leaders from Winchester High School and members of the Community Health team from La Colaborativa in Chelsea and

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Two candidates for Winchester's School Committee will face voters at a forum as the district navigates a new literacy curriculum, budget pressures and questions about student mental health. Heather von Mering and John Bellaire are competing for an open seat on the School Committee, which oversees a budget von

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FEATURES

'Chicago: Teen Edition' dances onto the Winchester High School stage

By Talia Ho | Correspondent Fame. Fortune. And all that jazz. This spring, Winchester

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Ripley Chapel in Winchester presents 'Syldason: You Are Welcome Here'

The following was submitted by the Ripley Chapel at First Congregational Church: On

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High School presents “Chicago: Teen Edition,” a bold musical that explores celebrity culture, media manipulation, and the cost of ambition. This iconic production is set in the 1920s. Performances will take place on March 13 and 14

SPECIAL TO THE NEWS
March 4, 2026

Friday, March 13, beginning at 7:30 p.m., live in-person and live streamed from the stunning Ripley Chapel at First Congregational Church, Winchester, 21 Church St., join in with Syldason, a duo concert featuring Sylvie Zakarian,

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